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IMMIGRATION AND CRIME

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"The alarming increase of the number of alien criminals" has come to be the favorite topic for newspaper editorials whenever a sensational crime is committed in the foreign section of some of our large cities. More recently the official statistician has fallen in line with the popular sentiment. The Commissioner-General of Immigration, in his reports for the years 1908 and 1909, dwells upon the increase of the number of aliens in penal institutions from 1904 to 1908. The superintendent of the state prisons of the state of New York, in his report for the year 1909, emphasizing "the recent remarkable increase in prison population," gives expression to the view "that the crowded condition of our prisons is largely due to the influx of immigrants during the last few years" (p. 9).

"A large proportion of the vicious and ignorant . . . make the large cities their headquarters. Thus there is forced upon New York state and upon its charitable and penal institutions more than their due proportion of the undesirable classes of immigrants, the lawless, the illiterate, and the defective." As a remedy, he recommends "the exclusion of this undesirable class of immigrants" (p. 12).

Yet the very fact of this sudden increase of the rate of delinquency and dependency within so short a period would suggest to an unbiased student of social phenomena the working of some extraordinary cause. If it be remembered that the later statistics for the United States relate to the year 1908, which was a year of industrial depression, the explanation of this sudden increase of crime, insanity, and pauperism among aliens will become obvious.

Conceding, for the sake of argument, the contention of the superintendent of New York state prisons that the state of New York bears more than its proportionate share of the burden of crime, it is

instructive to compare the average daily population of the three state prisons for each of the last ten years (p. 6).

TABLE I
DAILY AVERAGE PRISON POPULATION

Year	Number of Prisoners	Percent Increase (+) or Decrease (-), Since 1900
1900.....	3,376	..
1901.....	3,384	..
1902.....	3,235	- 4
1903.....	3,317	- 2
1904.....	3,405	+ 1
1905.....	3,464	+ 3
1906.....	3,473	+ 3
1907.....	3,456	+ 2
1908.....	3,817	+13
1909.....	4,420	+31

We note that between the years 1900 and 1907 the average daily prison population fluctuated but very slightly from year to year, falling at times 4 per cent below or rising 3 per cent above the starting-point. According to the state census of 1905, the population of the state increased from 1900 to 1905 by 11 per cent; a large share of that increase was due to immigration; thus relatively to the population, crime was decreasing. The years 1908 and 1909, however, show a sudden increase of the prison population; those were precisely the years when emigration of aliens from the United States assumed unprecedented proportions. From the month of December, 1907, to the month of August, 1908, emigration from the United States exceeded immigration by 124,124 persons, while from June 30, 1900, to June 30, 1907, the net addition through immigration to the population of the United States was 4,500,000 persons of whom the state of New York received a proportionate share. In other words, *the wave of criminality coincided with the lowest ebb of immigration while the high tide of immigration was contemporaneous with a decrease of crime.*

This conclusion is fully borne out by the annual statistics of crime in the state of New York for the period commencing 1830.¹

¹ *Annual Report of the Secretary of State on Statistics of Crime in the State of New York, 1909.*

Diagram I represents the comparative growth of population and crime in the state of New York from 1830 to 1905, the comparison embracing the whole period for which statistical data are available.

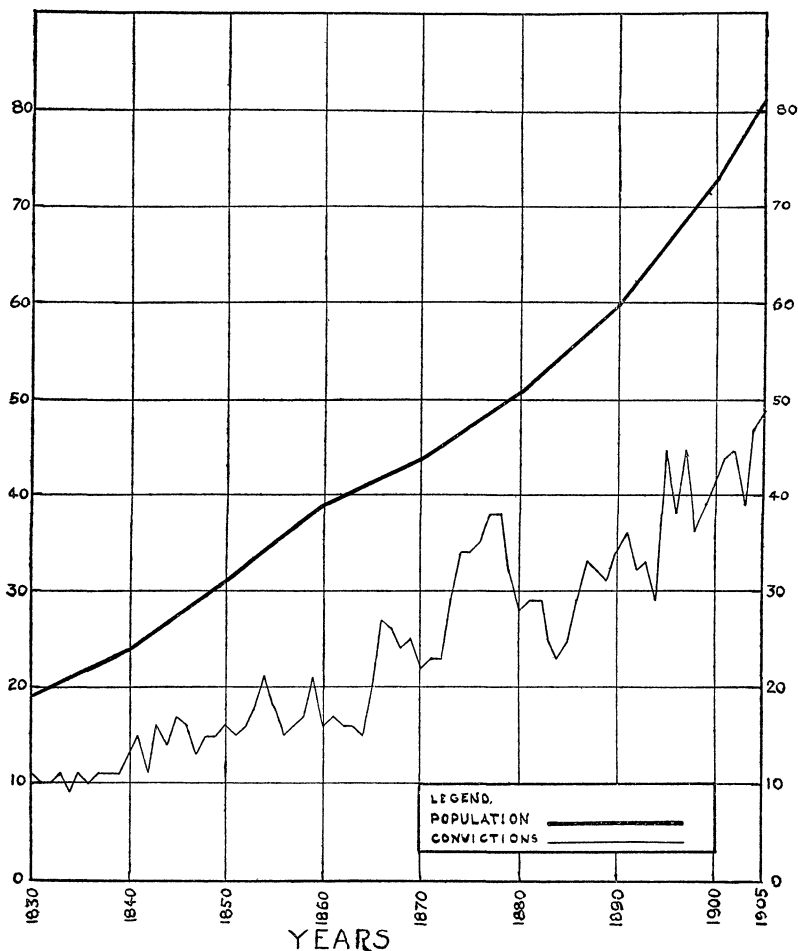


DIAGRAM I.—Number of convictions in courts of record, compared with the census population, in the State of New York, 1830-1905.

Scale of population: One unit = 100,000

Scale of convictions: One unit = 100

The population figures are taken from the United States census and from the New York state census of 1905.

Two features stand out conspicuously in this diagram: first, that taking the three-quarters of a century covered as a whole, the increase of crime merely keeps pace with the growth of population; second, that annual figures are subject to very sharp fluctuations. Any comparison between two years chosen at random must necessarily be fallacious. For example, if the years 1878 and 1894 were chosen for comparison, one might reach the conclusion that the number of convictions showed a very encouraging decrease of crime. As that period witnessed the beginning and rapid growth of immigration from Russia, it might be further argued that the decrease of crime in the state of New York was due to the moral influence of Russian immigrants upon the people of the state of New York. This inference would be precisely on a par with the conclusions drawn by the Immigration Restriction League from a comparison of the prosperous year 1904 with the year 1908, a year of industrial depression. A scientific study of the effects of immigration upon criminality must cover a long period, embracing years of prosperity and industrial depression, so that all casual, transitory, and temporary influences may as far as possible be eliminated.

Do the statistics of crime in the state of New York justify the fears of the alarmist? Table II shows the relative number of convictions for every 100,000 population at each census from 1830 to 1905:

TABLE II
NUMBER OF CONVICTIONS IN COURTS OF RECORD AND THE
POPULATION OF THE STATE OF NEW YORK,
1830-1905

Census Year	Convictions	Population Thousands	Convictions per 100,000 Popula- tion
1830.....	1,059	1,919	55
1840.....	1,343	2,429	56
1850.....	1,552	3,087	50
1860.....	1,601	3,881	41
1870.....	2,151	4,383	49
1880.....	2,847	5,083	56
1890.....	3,364	5,998	56
1900.....	4,116	7,269	57
1905.....	4,942	8,067	61

It appears from this table that the relative rate of criminality in 1890 was the same as in 1840, notwithstanding the change in the

racial composition of the population of the state. In the year 1900 there was just one more conviction for every 100,000 of the population than in 1890, and in 1905 four convictions per 100,000 population in excess of 1900. Certainly, there is no occasion to go into hysterics.

Still, as stated before, the number of convictions for a single year may be exceptionally high or low, and a comparison comprising even a number of single years may accordingly be misleading. In order to eliminate the effect of annual fluctuations of the number of convictions, the average annual number of convictions for each period between two census years is compared in Table III with the average annual increase of the population of the state of New York, for the same periods. The results of this comparison are presented graphically in Diagram II.

TABLE III

ANNUAL AVERAGE NUMBER OF CONVICTIONS COMPARED WITH ANNUAL AVERAGE INCREASE OF POPULATION FROM CENSUS TO CENSUS, 1831-1905

PERIODS	NUMBER OF CONVICTIONS		ANNUAL AVERAGE INCREASE OF POPULATION, PER 1,000
	Annual Average	Percentage Increase (+), or Decrease (-)	
1831-1840.....	1,057
1841-1850.....	1,474	+39.5	27.5
1851-1860.....	1,734	+17.7	25.3
1861-1870.....	2,221	+28.1	13.0
1871-1880.....	3,152	+41.9	16.0
1881-1890.....	2,900	- 8.0	18.0
1891-1900.....	3,734	+28.8	21.2
1901-1905.....	4,501	+20.8	22.0

The two curves in Diagram II representing the growth of population and the increase of the number of convictions are widely divergent. It is worthy of note that in 1861-70 the number of convictions was increasing faster than during the preceding decade 1851-60, while the growth of population was slowing down. On the contrary, a comparison of the decades 1881-90 and 1871-80 shows that the number of convictions fell off, while the population was increasing faster; the same tendency was manifest during the

period 1901-5, as compared with 1891-1900. This would seem to indicate that *the causes which are favorable to the growth of population tend to reduce crime, and vice versa, the causes which retard the growth of population are productive of an increase of crime.*

Let us next examine the effect of immigration upon criminality in the state of New York. The census statistics of foreign born do

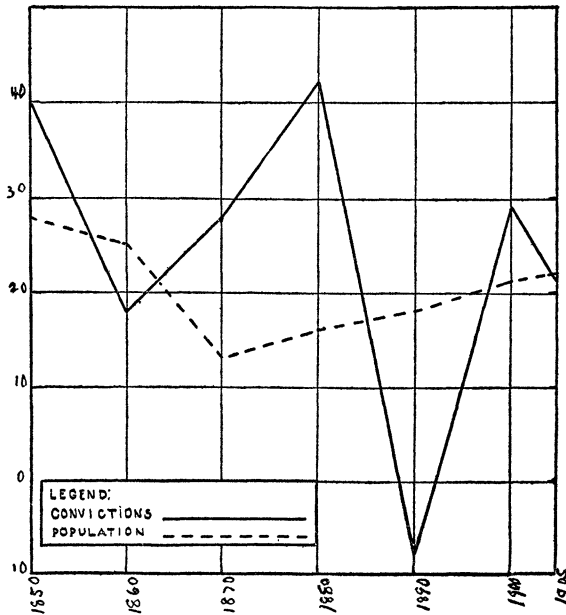


DIAGRAM II.—Percentage of annual increase or decrease of the number of convictions, compared with annual average increase per 1,000 population of the State of New York.

not go farther back than 1850. In Table IV the percentage of foreign born at each census is collated with the ratio of the average annual number of convictions for each decade ending on a census year to the average population for the same decade; the average population is taken to be the arithmetical mean of the totals for two successive censuses. The same data are presented graphically in Diagram III.

The table and diagram shown below clearly disprove the contention that immigration increases the criminality of the population

TABLE IV
ANNUAL AVERAGE RATE OF CONVICTIONS IN COURTS OF
RECORD, COMPARED WITH PERCENTAGE OF FOREIGN
BORN AT EACH CENSUS IN THE STATE OF
NEW YORK

Decade Ending	Convictions per 100,000 Population	Percentage of Foreign Born
1850.....	53	21.2
1860.....	50	25.8
1870.....	54	26.0
1880.....	67	23.8
1890.....	53	26.2
1900.....	56	26.1

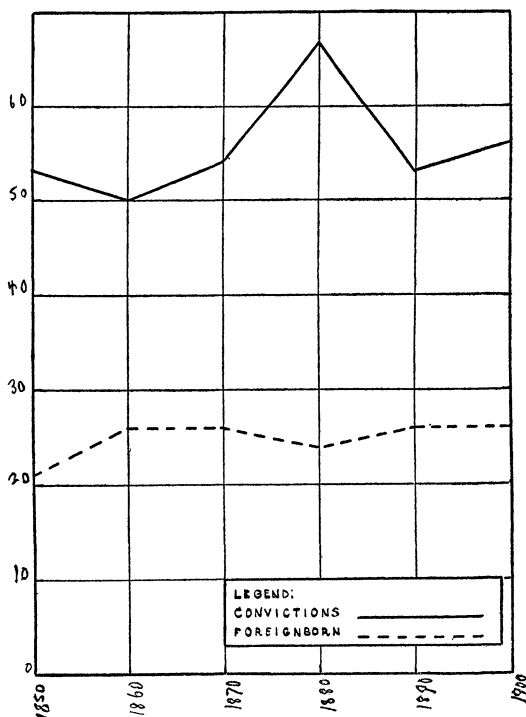


DIAGRAM III.—Annual average rate of convictions in courts of record, compared with percentage of foreign born at each census in the State of New York.

of the state of New York. From 1850 to 1860 the foreign-born population of New York increased relatively to the total population of the state, but the annual average number of convictions during the decade 1851-60 fell below the average for 1841-50. From 1870 to 1880 the number of foreign born decreased relatively to the total population; at the same time the annual rate of convictions increased as compared with the preceding decade. From 1880 to 1890 this movement was reversed: the foreign-born population went up and the rate of criminality went down. Again from 1890 to 1900 the percentage of foreign born slightly decreased, and the rate of criminality showed a small increase. These tendencies appear still more pronounced, if we compare the increase of the number of convictions with the increase of the foreign born and the total population of the state for the census years 1850-1900, as shown in Table V and Diagram IV.

TABLE V
NUMBER OF CONVICTIONS COMPARED WITH TOTAL AND FOREIGN-BORN
POPULATION, 1850-1900.

CENSUS YEAR	NUMBER OF CONVICTIONS	FOREIGN BORN THOUSANDS	TOTAL POPULATION THOUSANDS	PERCENTAGE OF INCREASE		
				Convictions	Foreign Born	Total Population
1850.....	1,552	656	3,097
1860.....	1,601	1,001	3,881	3.2	52.6	25.3
1870.....	2,151	1,138	4,383	34.4	13.7	12.9
1880.....	2,847	1,211	5,083	32.4	6.4	16.0
1890.....	3,364	1,571	5,998	18.1	29.7	18.0
1900.....	4,116	1,900	7,269	22.4	21.0	21.2

A glance at the diagram shows that in 1860, when the rate of increase of the foreign-born population was at its apex, the rate of criminality was at its bottom. Toward 1870 the rate of increase of the foreign born dropped, but the rate of increase of the number of convictions made a big jump. From 1880 to 1890 the rate of increase of the foreign born went up, at the same time the rate of increase of the number of convictions went down. From 1890 to 1900 the two movements were reversed. In short, *an increase of the percentage of the foreign-born population is accompanied by a decrease of criminality, and vice versa.*

This fact shows that the same conditions which attract the immigrant to the United States tend to reduce the rate of criminality.

Turning to the statistics of crime among native and foreign born, we find them summed up in the following statement of the

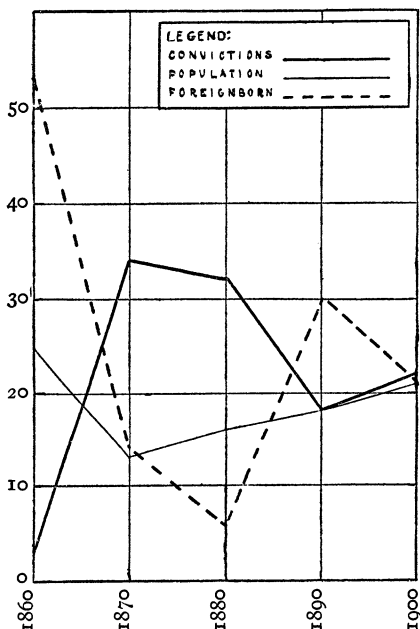


DIAGRAM IV.—Percentage of increase of number of convictions, compared with percentages of increase of foreign born and total population.

census report on "Prisoners" (p. 41): "From these figures [i.e., from the number of commitments], as well as from those for prisoners enumerated on June 30, 1904, it is evident that the popular belief that the foreign born are filling the prisons has little foundation in fact."

A comparison of the figures for 1904 with those for 1890 shows that the ratio of foreign born among the white prisoners fell from 28.3 to 23.7 per cent, while the percentage of native prisoners increased from 71.8 to 76.3 per cent (*op. cit.*, p. 18).

Is there any evidence of a change in this respect since 1904? This question can best

be answered by an examination into the nativity of the persons convicted in 1908 in the courts of record of the state of New York. The year 1908, as stated, showed a marked increase of crime, and of all states the state of New York is alleged to be the greatest sufferer from the influx of foreign criminals.

The nativity of the persons convicted in courts of record in 1908 was as follows:¹

Natives of the United States.....	4,392
Foreign born	2,687
Nativity unknown.....	272
Total for the state	7,351

¹ Report of the Secretary of State, p. 212.

To compare these figures with the distribution of the population of the state by nativity, it must be noted that of the total number of prisoners only 38 were under 15 years of age and only 361, or 5 per cent, were women. In the foreign-born population, however, the percentages of children under 15 and of women, who contribute very few criminals, are lower than among the native, while the percentage of males 15 years of age and over who contribute the bulk of criminals is higher in the foreign-born than in the native population. A fair comparison should consider only the ratio of male offenders 15 years of age and over to the total male population of the same age groups.¹

Inasmuch as the statistics of the secretary of state of New York contain no classification of the native and foreign-born offenders by age and sex, estimates have to be resorted to. The number of offenders under 15 years being very small, we may assume that they were all native boys and deduct their number from that of native offenders; we shall thereby reduce the rate of native criminality and increase relatively the percentage of foreign criminals. The number of foreign-born male offenders would be further increased, if we were to follow the same method with regard to female offenders and charge all women convicted in courts of record to the group of native offenders. There is no reason, however, to assume that the native women numerically predominate

¹ "If the general population of all ages be taken, the basis for the comparison will not be equitable for several reasons. Inmates of the general prisons are all at least 10 years of age and nearly all over 15. For the most part the immigrants are between 15 and 40 years of age. The number of children under 10 years of age is extremely small among the white immigrants as compared with the native whites. In view of these facts a comparison of the proportions of each nativity class in the white prison population with the corresponding proportions of the general population of all ages would clearly be unfair, for the inclusion of children under 10 years of age would so increase the proportion of native in the general population that it would seem as if crime were more prevalent among the foreign born as compared with the native white than is actually the case. . . . Of the whites at least 10 years of age in the general population of the United States in 1900, 19.5 per cent were foreign born, while of the white prisoners of known nativity enumerated on June 30, 1904, 23.7 per cent were foreign born. The foreign-born element therefore appears to be more prominent in the white population of prisons than in the general white population. In some respects, however, a comparison with the total white population 10 years of age and over is hardly fair to the foreign born. Very few prisoners are under the age of 15, and the great majority of prisoners, 94.5 per cent of the total number, are males. Therefore it is perhaps more significant when the percentage of foreign born among white prisoners is compared with the percentage of foreign born in the white population 15 years of age and over, classified by sex."—"Prisoners and Juvenile Delinquents" (Census report), pp. 18-19.

among female offenders. We may accordingly assume that the percentage of foreign born among female offenders is the same as among male offenders.

It is probable that of the 272 convicted persons whose nativity was unknown very few were foreigners, as their speech and appearance did not mark them as such. By leaving this group out of consideration, we again reduce the number of native offenders relatively to the foreign born. On the other hand, the census figures giving the distribution of the population by nativity relate to the year 1900, whereas the phenomenal immigration of recent years must have increased the percentage of foreign born in the population of the state of New York. In every respect, therefore, our statistics must be unfavorable to the foreign born. Let us now compare the percentages of native and foreign born among all offenders 15 years of age and over, whose nativity is known, and among the male population of the state in the same age groups.

TABLE VI

NATIVE AND FOREIGN-BORN OFFENDERS 15 YEARS OF AGE AND OVER, COMPARED
WITH THE NATIVE AND FOREIGN-BORN MALE POPULATION OF THE
SAME AGES, STATE OF NEW YORK

NATIVITY	CONVICTIONS IN COURTS OF RECORD		MALE POPULATION, 1900	
	Number	Percentage	Thousands	Percentage
Native.....	4,354	61.8	1,648	64.5
Foreign born.....	2,687	38.2	907	35.5
Total.....	7,041	100.0	2,555	100.00

Thus, with every allowance in favor of the native and against the foreign born, the ratio of foreign-born criminals is only 2.7 per cent in excess of the ratio of foreign-born males to the total male population of the state. The preceding table does not include the more numerous class of minor offenders convicted at Special Sessions. In Table VII the convictions in the minor courts in 1908 are classified by character of offense separately for the counties of New York and Kings, comprising the three most densely settled boroughs of Manhattan, Bronx, and Brooklyn, and for the rest of

the state.¹ The population of these three boroughs in 1900 contained 1,207,000, i.e., nearly two-thirds of the 1,900,000 foreign born of the state of New York. The percentage of foreign born in these three boroughs was 37.5, while in the rest of the state of New York it was only 17.1 per cent. In 1908 the percentage of foreign born in New York City was in all probability considerably higher than in 1900. If the foreign born furnished a higher percentage of criminals than the native, this tendency should loom up conspicuous in the comparison between greater New York and the rest of the state. What are the facts?

TABLE VII

NUMBER AND PERCENTAGE OF CONVICTIONS IN SPECIAL SESSIONS, CLASSIFIED BY CHARACTER OF OFFENSE, FOR THE THREE PRINCIPAL BOROUGHS OF NEW YORK CITY AND THE REST OF THE STATE, 1908

CHARACTER OF OFFENSE	NUMBER			PERCENTAGE	
	Total State of New York	New York and Kings	Other Counties	New York and Kings	Other Counties
Petit larceny.	6,464	2,988	3,476	46.2	53.8
Assault, third degree. . . .	2,788	779	2,009	28.0	72.0
All other offenses.	48,543	8,706	39,837	17.7	82.3
Population, 1905.	Thousands 8,067	Thousands 3,743	Thousands 4,326	46.4	53.6

The three principal boroughs of New York City in 1905 contained nearly one-half of the population of the state, yet they furnished only 28 per cent of all convictions for assault and 17.7 per cent of the most numerous class of minor offenses; petty larceny was the only offense whose frequency was proportionate to the population of the great city. Thus, though the three boroughs had twice as many foreign born in proportion to their population as the rest of the state, New York City had relatively no more pickpockets than the rest of the state, and the number of all other minor offenders was in proportion much smaller in the three boroughs than up state. And that in a year which broke the record of crime.

The popular opinion that the immigrants furnish a high percentage of criminals rests upon the belief that this country is used

¹ *Loc. cit.*, pp. 460-61.

as a hiding-place by fugitive criminals from all quarters of the world. There are no statistics relative to the criminal records of the immigrants previous to their admission to this country. But the statistics of crime in the state of New York, which is said to hold more than its proportionate share of the lawless immigrants, warrant only one of the following two conclusions:

Either the new environment enables this invading army of immigrants with criminal records to keep within the law; or else the criminal classes of Europe, contrary to the popular belief, furnish less than their proportionate quota of immigrants—which is quite plausible, since the criminals belong to the submerged portion of the population and are kept at home by want of funds with which to pay for their passage.